



NEWS RELEASE

Matthew D. Orwig
United States Attorney
Eastern District of Texas

FOR IMMEDIATE RELEASE

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Contact: Davilyn Brackin
Public Information Officer
(409) 839-2538 office
(409) 553-9881 cell

FEDERAL GRAND JURY INDICTS FIVE ON SEPARATE CRIMINAL VIOLATIONS

(Tyler, TX) United States Attorney Matthew D. Orwig announced today that a federal grand jury has returned numerous indictments charging defendants in separate cases of federal violations in the Eastern District of Texas.

THEODIS LYNN BARRETT, 45, of Palestine, Texas, has been indicted for felon in possession of a firearm. On May 14, 2006, Palestine Police were advised that Barrett had threatened two men with a firearm. Police responded and found Barrett in a car containing a shotgun. Upon determining that he had prior felony convictions, Barrett was arrested for being a felon in possession of a firearm.

If convicted, Barrett faces not more than ten years in federal prison and a fine of up to \$250,000. The Palestine Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives are investigating this case and Assistant United States Attorney Gregg Marchessault is prosecuting.

DAVID PEREZ-JULIAN, 45, of Smith County, has been indicted for

being a criminal alien unlawfully present in the United States after deportation. Information presented in court stated that David Perez-Julian is also known as Toribio Ruiz and has a criminal history which includes a prior aggravated felony conviction in the Southern District of Texas for re-entry after deportation on January 26, 2001. In that case, he was sentenced to 60 months in federal prison and ordered not to return to the United States. He was released December 27, 2004 from federal prison and was deported to Mexico.

On or about August 30, 2005, Perez was arrested by the Tyler Police Department on a 1999 forgery charge out of Smith County. In August, 2006, Perez was encountered by agents with Immigration and Customs Enforcement in Smith County.

If convicted, Perez faces up to 20 years in federal prison and a fine of up to \$250,000. The Bureau of Immigration and Customs Enforcement is investigating the case and Assistant United States Attorney Allen Hurst is prosecuting the case.

DAVID LEE GREEN, 63, of Tyler has been indicted for felon in possession of a firearm. Information presented in court stated that on March 17, 2006, Green was arrested for possessing a .22 caliber rifle and a 20 gauge shotgun. Green had been previously convicted of sexual assault and burglary.

Green faces up to 15 years in federal prison and a fine of up to \$250,000 if convicted.

The Bureau of Alcohol, Tobacco, Firearms and Explosives and the Tyler Police Department are investigating this case and Assistant United States

Attorney Jim Middleton is prosecuting the case.

DEREK CHAD MADDOX, 26, of Tyler, has been indicted for possession with intent to distribute or dispense a controlled substance and possession of a firearm during a drug trafficking crime. According to information presented in court, Maddox was stopped during a routine traffic stop by a DPS Trooper. After smelling marijuana coming from Maddox's car, the trooper conducted a search of the car. Controlled substances, a semi-automatic 9 mm weapon and several rounds of ammunition were found in the vehicle. If convicted, Maddox faces up to 40 years in federal prison and a fine of up to \$2 million.

The Texas Department of Public Safety is investigating this case and Special Assistant United States Attorney Denise Simpson is prosecuting.

LARRY PUGH, 33, of Jacksonville, was previously indicted on three counts of violation of civil rights and one count of false statement. He was indicted by this grand jury on a new count of tampering with a witness. Information presented in court alleges that Pugh used physical force against a witness by wrapping a belt around her neck, dragging her across the ground, and attempting to force her into his automobile with the intent to delay or prevent her testimony in an official federal proceeding.

If convicted, Pugh faces not more than one year in federal prison and a fine of up to \$100,000 on the civil rights charges, up to 5 years in federal prison and a fine of up to \$250,000 on the false statement charge and up to 20 years in federal prison and a fine of up to \$250,000 for the tampering with a witness charge.

The case is being investigated by the Federal Bureau of Investigation

and the Cherokee County District Attorney and being prosecuted by Assistant United States Attorney Alan Jackson.

It is important to note that an indictment should not be considered as evidence of guilt and that all persons charged with a crime are presumed innocent until proven guilty beyond a reasonable doubt.

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